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Natural Dialectics: Māori & Sioux Ecosophy Encounters the Rule of Law

Abstract: In the age of intensifying anthropogenic climate change, an ecosophical shift is required in the epistemological and ontological comprehension of the interrelations between the human and non-human worlds. This shift is essential for refining existing social scientific approaches to investigating and adjudicating questions of environmental governance, environmental justice, environmental sovereignty, in addition to advancing democratic counters to the effects of ecological degradation and environmental catastrophe that move beyond rigid political-economic constraints. This essay constitutes a novel engagement with discourses of radical democracy and radical ecology that applies the philosophical method of dialectical naturalism to an ecosophical interpretation of the human-nature relation as it is expressed in historical examples of Indigenous political thought and recent examples of red praxis. The Sioux of the Great Plains region of the United States and the Māori of New Zealand (*Aotearoa*) furnish the case examples for this global juxtaposition. The concept of nature's legal personhood developed in Māori legal thought offers a vivid contrast to the anthropocentric legal provisions of federal statute that delineate and constrain environmental justice in the United States. Indigenous political thought and red praxis unmask how juridical directives fail to check the arbitrary exercise of government authority and negligent expedience of private capital. The law in this neoliberal and settler-colonial tradition amounts to a Janus-faced arbiter with the capacity to either facilitate ecological degradation and the erosion of environmental sovereignty or ameliorate and prevent environmental catastrophe. The latter aim is nuanced through the incorporation of Indigenous ways of knowing and being into the normative democratic conception of environmental justice. By applying dialectical naturalism to the juridical dimension of environmental governance in two distinct democratic regimes, this essay seeks to substantiate the claims that bringing a global range of Indigenous ways of knowing and being into reforms of a hegemonic rule of law directs both a practical and epistemic challenge at the durability and tenability of the normative institutions of environmental governance in the Anthropocene.

Keywords: Environmental Law, Environmental Justice, Indigenous Political Thought, Radical Ecology

Introduction to the Human-Nature Relation: Thinking Dialectically.

As nation-states search for political solutions to escalating environmental catastrophes and intensifying global climate change, environmental philosophers, political ecologists, and climate activists have each sought to reevaluate and redefine humankind's relationship with the natural, non-human world. The field of environmental political theory encompasses a broad and variegated spectrum. It ranges from discussions of reactionary *eco-fascism* (as espoused in Nazi Germany or contemporary white supremacist agendas),¹ centralized *environmental authoritarianism* (as observed under China's one-party, top-down, and non-deliberative administration of its *ecological civilization* policies),² or to the incremental, greenwashed, and watered-down *environmentalist* solutions implemented in liberal-market democratic regimes.³ For this essay, the scope of environmental political thought is limited to the contributions of its radical strains. These strains are underrepresented in the normative scholarly discourse of global climate politics, but their demands for a meaningful sustainable social transformation through a radically different approach to environmental governance ought to alert the eco-critic to their revolutionary potential. Debates in the discourses of radical ecologies concern propositions for revolutionary change, a social transformation that is intended to

dismantle the extractivist, productivist, and anti-ecological apparatus of globalized settler-colonial capitalism and assuage acute environmental abuses stemming therefrom.

Radical thinkers in the discourses of environmental political philosophy typically come from two distinct camps of thought.⁴ On the one hand, there is eco-socialist and eco-Marxist thought. Kohei Saito's recent formulation of degrowth communism serves as an exemplary application of contemporary eco-Marxist theory to the contemplation of a 'green' revolution to a sustainable mode of production. Saito's plan for degrowth communism proposes a statist transition to an environmentally sustainable socialist program through a "steady-state economy," i.e., a socialist economy that prioritizes investments in healthcare, public transportation, housing, education, and other such public goods directly serviceable to the community at large, transitioning away from measurable units of economic growth and expansion, namely GDP, as the primary aim of civil society.⁵ The chief focus in eco-Marxism is a dialectical materialist analysis of the historical relation between humankind and the non-human world. The strength of its critical ecological analysis is thus derived from its ability to navigate the human-nature relation dialectically.

In urging one to 'think dialectically' in the human-nature relation, one is simply suggesting to view the interactions between the human and non-human worlds as a dialogue, a conversation, a reciprocal set of responsibilities and processes that shape the other just as the other alters it. However, the primary deficiency of the eco-Marxist dialectical *materialist* outlook is the shopworn intellectual cliché of post-Marxist critiques, namely the orthodox Marxist tendency to view the "human-nature metabolism," in Saito's words, through the trite and facile lens of economic determinism.⁶ The narrow political-economic lens of eco-Marxism conceives of the relation between human society and culture (*second nature*) and the natural world (*first nature*) as follows: human sociocultural development (*second nature*) is separate from although dependent on alterations of its local ecology to obtain the nutriment provided by the life-supporting systems of the natural world (*first nature*) for the production and reproduction of its essential life-activity—i.e., the ongoing generation of the social relations of production.⁷

While this is the case for orthodox eco-Marxist critiques, it should be noted that Indigenous (red) socialists of the Red Nation delineate a view of the human-nature relation that goes beyond the political-economic contours of the eco-Marxist theoretical purview in their *The Red Deal*—a political text intended as a Native supplement to the Democratic Socialist of America's Green New Deal that maintains Indigenous ways of knowing and being in its recommendations.⁸ Similarly, eco-Leninism, an offshoot of eco-Marxist thought, proposes a form of eco-communism that emphasizes a society where economic growth is decoupled from environmental degradation. However, the focus is still on the political-economic dimensions of class struggle, with the intention of a vanguard class cementing an *eco-dictatorship* of the proletariat to implement sustainable policies—i.e., a leftist form of environmental authoritarianism.⁹ The strict adherence to the political-economic in non-Indigenous eco-Marxist and eco-socialist thought reinforces the ulterior argument for establishing a dialogue with Indigenous political thought in discourses of radical democracy and radical ecology as sources of revolutionary complementarity vis-à-vis the historical continuity of radical outlooks and praxes that supersede the first and second nature binarism maintained by dialectical materialism.

Joining eco-socialists and eco-Marxists in the discourses of radical ecologies are eco-anarchists.¹⁰ Eco-anarchy similarly spans a variety of intellectual positions; however, for this discussion, attention is paid to the branches of eco-anarchic thought most applicable to this discussion of a dialectical conception of the human-nature relation. Accordingly, Murray Bookchin's social ecology and Gilles Deleuze and Félix Guattari's concepts of the rhizome, nomadism, the politics of difference, and, especially, *ecosophy*, stand as apt concepts for steering this radical interpretation of Indigenous political thought and red praxis. On the one hand, Bookchin's libertarian-socialist theory of social ecology rests on his formulation of a method of philosophical inquiry suited for reconciling

the normative human-non-human binarism through the dissolution of hierarchical epistemologies of rule.¹¹ The theory of social ecology examines the dialectical relation between the evolution of human society and culture through its developing encounters with the natural world that sustains it—*dialectical naturalism*. This naturalist breed of dialectical inquiry expands on Hegel's conception of dialectics to propose a philosophical method that moves beyond the contours of materialist and political-economic analyses of the human-non-human relation. Instead, social ecology extricates the dialectical understanding of the human-nature relation from the normative political-economic binarism and substitutes the prior view with the comprehension of relations in the human social and natural worlds as a collection of ever-changing ecological processes united in their multiplicity and evolving difference.¹²

In a word, dialectical naturalism achieves the philosophical goal of enumerating the requisite terminology for imagining human-non-human interactions “beyond first and second nature” in its oppositional form.¹³ The non-human world is not solely the cornucopia of inanimate raw material requisite for human life and sociocultural development. Rather, nature is an active participant in human sociocultural development, and humankind plays an active role in altering and shaping its natural life-supporting processes throughout the thousands of years of their interrelation. To substantiate this claim, the theory of social ecology establishes its epistemological handling of the human-nature relation in natural scientific terms. Bookchin merges the scientific principles of ecology—i.e., those that recognize the dynamic harmony that naturally and spontaneously emerges from an immense collectivity of biodiversity, always differentiating toward greater complexity and consciousness—with the philosophical tenets of naturalism and libertarian social theory—i.e., the ontological bearing that man is created or born naturally free into the state of nature.¹⁴ Humankind is therefore an integral component that is representative of the whole of nature, a spontaneously generated amalgam of processes that tend toward ever-increasing complexity and consciousness. Bookchin is clear on what this eco-anarchic position ought to mean for redressing the limited epistemologies of scientific inquiry and contemporary ways of knowing and being in the age of anthropogenic climate change. The circumstances presented by intensifying climate change demand a shift toward philosophical naturalism that grounds scientific investigation.

To assume that science commands this vast nexus of organic and inorganic interrelationships in all its details is worse than arrogance: it is sheer stupidity. If unity in diversity forms one of the cardinal tenets of ecology, the wealth of biota that exists in a single acre of soil leads us to still another basic ecological tenet: the need to allow for a high degree of natural spontaneity. The compelling dictum, “respect for nature,” has concrete implications. To assume that our knowledge of this complex, richly textured, and perpetually changing natural kaleidoscope of lifeforms lends itself to a degree of “mastery” that allows us free rein in manipulating the biosphere is sheer foolishness.¹⁵

The theoretical free development of nature and consciousness precludes the possibility of human mastery over the natural world or the hierarchical separation of human beings themselves on the basis of class, race, gender, or other such construction of social domination. This insight, too, is dialectically constructed. It is rooted in Hegel's dialectical analysis of the master-slave relation or dialectic of control, through which the reflexive process of human self-consciousness and identity is observed in the binary relation of domination and submission between the subject and object.¹⁶ However, the words of German Idealist philosopher Johann Gottlieb Fichte best captures the dialectical naturalist comprehension of evolutionary processes to which the histories, bodies, minds, spirits and futures of humankind are inextricably bound, “The human: nature become self-aware.”¹⁷

Bookchin's dialectical naturalist theory of social ecology aligns with the Deleuzian-inspired concept of a politics of difference rooted in multiplicity by highlighting the Hegelian concept of “unity

in diversity” as the basis for a free community.¹⁸ When invoking the concept of multiplicity in the politics of difference, one begins to contemplate how humanity, with its immensely diverse gamut of personality, culture, society, and so on, relates to the even greater biodiversity of the natural, non-human world. Human existence is rooted in how humans navigate their differing social and physical spaces just as it is rooted in how human societies establish and maintain their relation to the diverse beings and processes that compose the local ecologies which sustain them. Applied to the human-nature relationship, dialectical naturalism’s recognition of the natural consonance derived from difference and complexity at the infinite and infinitesimal scale of existence in the social and natural world aligns with the early eco-anarchic proposition formulated by Kropotkin, the intellectual progenitor of social ecology. Kropotkin’s observations of mutualism throughout the evolution of human beings and human society laid the foundation for his conception of *mutualistic naturalism*, an anarchic philosophical position that emphasizes the cooperative and symbiotic relationships found in human communities, the processes of the non-human world, and the interactions between the two. Kropotkin’s observations thus cement the foundations for imagining a libertarian-socialist social order based on mutual aid and sustainable socioeconomic development through decentralized organization.¹⁹ Social ecology’s formulation of dialectical naturalism not only reasserts the interrelations between humankind and the environment but also reifies the non-human world as an active participant in the evolution of human society and culture. The proposition for a radical shift toward dialectical naturalism thus demands critics to reevaluate and reformulate existing approaches to environmental governance that rely on neoliberal paradigms of exploitation and the commodification of the non-human world.

The Deleuzian politics of difference emphasizes the understanding of diversity as multiplicity. In doing so, a Deleuzian vantage seeks alternative epistemological and ontological positions in the experience of the marginalized whose voices and perspectives represent a subject that, through its everyday encounters with oppression, is forced to navigate society on its fringes. This iteration of the concept of unity in diversity illustrates the concept of the *rhizome*, developed by French anarchist and post-structuralist psychoanalysts and philosophers Gilles Deleuze and Félix Guattari. The rhizome formulates a non-hierarchical imaginary of the interrelations between nature, knowledge, and social organization.²⁰ Deleuze and Guattari’s ideas offer an analytical framework that fosters a more nuanced dialectical naturalist mode of thinking, enabling the transformation of normative social and cultural sensibilities towards a political consciousness embracing difference and seeking alternative ways of knowing and being. This approach also underscores the significance of applying these epistemological, ontological, and psychological positions strategically to minds and politics as communities are forced to adapt to the challenges of intensifying anthropogenic global climate change.

The theoretical nomadism which allows this approach to dialectical naturalism to pick and choose complementary and coinciding concepts of radical environmental thought and praxis in Indigenous communities is afforded by the Deleuzian and Guattarian concept of *nomadology*. Nomadism refers to a way of being and knowing that is characterized by constant movement and fluidity in the effort to capture and derive synthesis from the multiplicity of the diversity of life and knowledge. The nomadic mind must depart from the idealization of life within the contours of the normative institution of civil society because the nomad renounces the political authority vested in sedentary power and fixed forms of hierarchical social organization.²¹ It follows that the nomadic gaze deconstructs the first and second nature binarism, emphasizing instead the constant process of becoming and transformation as the root of the evolving human-nature relation.

In Deleuze and Guattari’s post-structuralist anarchist philosophy, nomadism is not solely a geographical or cultural phenomenon but a broader metaphor for a way of thinking and being in the world. Nomadic thought is resistant to rigid social structures and hierarchical epistemologies of rule, embracing experimentation and a radically democratic openness to difference. It rejects the notion of

fixed identities and boundaries, instead advocating for a dynamic engagement with the world that transcends conventional categories through the dialectical ebb and flow of the complexity of interrelations in the social and natural worlds.²² Intellectual nomadism—characterized by nomadic lines of flight from oppressive structures of social domination and top-down administrative rule—practically involves a continuous process of deterritorialization and reterritorialization, i.e., refers to the continuous process of breaking away from established normative institutions or ‘territories’ (*deterritorialization*) and then establishing new ones (*reterritorialization*). In this sense, nomadism aims to cultivate a transformative way of knowing and being to the end of offering new possibilities for individual and collective liberation.²³

The Guattarian concept of *ecosophy* (‘ecological wisdom’ from *eco* + *sophia*) brings the Deleuzian and Guattarian concepts together. Ecosophy aims to establish a way of knowing and being based on the deconstruction of the normative, hierarchical, and oppositional human-nature binarism that alienates humankind from its position as one member of an ecological civic whole. To do so, the post-structuralist and eco-anarchic conception of ecosophy searches for an eco-centric epistemological vantage of the human-nature relation through the contemplation of the natural creative spontaneity observed in the natural world, the fluidity of life, and the global harmony achieved through decentralized modes of existence (e.g., at the planetary scale, the global stasis achieved from the processes of polar ice caps interacting with those of rainforest ecosystems, the oceans, the atmosphere, human activities, and so on). Like social ecology, an ecosophical understanding of the human-nature relation relies on the tenets of ecology as its evidence for practicability deconstructing normative binaries and hierarchical relations in the social and natural worlds through a coinciding psychosocial understanding of ecological systems.²⁴

The Norwegian ‘father of deep ecology,’ Arne Næss, developed a similar version of the concept, emphasizing an ecosophical tenet of biospheric egalitarianism rooted in non-violence based on a spiritual reverence to the nonhuman world premised on an eco-centric shift in consciousness.²⁵ This comprehension of the human-nature relation prioritizes the intrinsic value of all living beings (to its misanthropic detriment) as members of a planetary whole who share and promote environmental sustainability through nonviolence and respect for the multitude of biodiversity and all its forms. Both concepts of ecosophy move well beyond the political-economic determinism of the human-nature relation. However, Guattari’s schizoanalysis of the capitalist treatment of the environment calls for a less spiritual and more psychomoral duty to alter human minds, conduct, and customs through an ecocentric worldview that dissolves the normative hierarchical and anthropocentric conception of the human-nature relation.²⁶

The primary impetus for arriving at a practical ‘ecological wisdom’ is the desire for an alternative construct of the human-nature relation wherein human needs and the natural process of the non-human world form a reciprocal bond rather than a network of antagonisms.²⁷ In Kropotkinian eco-anarchic terms, the search is for a human-nature relation rooted in mutualistic naturalism rather than one rooted in global capitalist parasitism. Adopting an ecosophical understanding of the dialectical tension that runs between the human and non-human worlds thus informs the basis for the desired reterritorialization of knowledge in climate politics. The epistemic repositioning brings with it a reevaluation of the normative conception of democratic environmental governance and its responsibility to uphold liberty and justice. Since the postulate that humans are born free out of the creative spontaneity of the state of nature is central to this radical discussion of Indigenous political thought and praxis, the discussion of environmental justice and red praxis against settler-colonial capitalist domination benefits from the recent formulation of freedom through the concept of *marronage* developed by Neil Roberts. The idea of freedom as *marronage* resonates with an eco-anarchic and post-structuralist epistemology and ontology in the material world of revolutionary praxis.

Marronage refers to the coloniality of history wherein enslaved individuals in the Caribbean and Latin America sought emancipation by constantly fleeing the captivity of their colonial captors, forming ‘maroons,’ i.e., runaway slave communities. The concept, like *nomadology*, suggests that the essence of liberty and anti-colonial emancipation is not to be found in static conceptions of rights or sedentary positions of authority. Freedom and justice are ongoing processes of seeking and asserting autonomy according to the constantly changing exigent circumstances and practical constraints of the present moment, akin to the perpetual act of flight, the act of “flight being optimal,” especially “flight in response to the juridical paradox” posed by the settler-state’s purported capacity to administer justice for the colonized.²⁸ The concept of freedom from environmental catastrophe as achieved through the intentional act of collective flight out of the settler-capitalist apparatus of ecological degradation substantiates the demand for the radical and nomadic embrace of Indigenous political thought in the search for a generative way of thinking for the social transformation out of settler-colonial capitalism and anthropogenic climate change.

The two eco-anarchic theories—social ecology and ecosophy—find suitable theoretical and practical complements in Indigenous environmental thought and political action, the former furnishing the political values for mobilization into the strategies and tactics of the latter. Before transitioning to the discussion of Indigenous political thought, however, it is necessary to briefly highlight the discontinuities between the two canonically Western eco-anarchic strains discussed heretofore. First, social ecology is more concerned with revolutionary praxis and practical change achieved through democratized municipalities. Like Saito’s vision of degrowth communism yet contrary to the statist means for its eco-socialist ends, social ecology seeks to invert the traditional administration of political authority and production from the top down into face-to-face, decentralized networks administered by community assemblies, such as the organization of the New England town meeting.²⁹ On the other hand, ecosophy supplements the dialectical naturalist analysis by supplying the requisite ontological and psychological bearing for achieving the requisite sociocultural sensibility for administering the practical aims of a revolution toward an ecological and just society.³⁰ An ecosophical conception of the dialectic between the human and non-human worlds advances the understanding of the human-nature relation beyond strictly political-economic terms, incorporating a post-structuralist creativity in its interpretation of the relation’s normative psychosocial construction. Just as the Deleuzian feminist concept of *becoming woman* challenges static gender binaries by recognizing the definitional and experiential complexity of the concept of ‘woman’ and femininity (simply put, the definition of ‘woman’ changes from place to place, culture to culture, aesthetic to aesthetic, and era to era, and is thus multiple and fluid), an ecosophical dialectical naturalism challenges the traditional human-non-human divide by highlighting the fluid and mutually transformative interrelations between humans and the natural world.³¹

The modalities of Indigenous ways of knowing and being around the globe provide case examples where the ecosophical values envisaged by radical environmental political theory are given form through red praxis. Indigenous mobilization in the global climate movement therefore offers valuable insights into the developing a scientific understanding of the human-nature relation that is useful for living and adapting in the Anthropocene. A dialectical naturalist examination of Indigenous political thought generated in response to both historical colonial wounds and recent neocolonial ecological degradation in the Great Plains region of the United States and in the Māori’s island home of Aotearoa unveils how Indigenous communities are vanguards in the struggle for environmental justice and sovereignty against the normative extractivist and productivist forces of settler-capitalist exploitation that hold a prodigious influence on the political agendas of democratic regimes. The case of *Standing Rock*, wherein the tribes’ were forced to make way for the Dakota Access Pipeline, is juxtaposed with a hopeful counter-example of a meaningful legal transformation achieved by the political mobilization of the Māori of New Zealand (*Aotearoa*) that successfully implemented

Indigenous political thought into the nation's public law by codifying the revolutionary juridical concept of *nature's legal personhood* developed by Māori legal scholars James Morris and Jacinta Ruru.³² The analysis underscores the implications of applying an ecosophical dialectical naturalism to the juridical dimension of epistemologies of rule and the provisions of a rule of law best suited for democratic environmental governance in the Anthropocene.

Divergent Conceptions of the Human-Nature Relation: The Eyes of the Sioux v. The Eyes of U.S. Settler-Capital.

Creation Story of the Great Plains Sioux

*Our legends tell us that it was hundreds and perhaps thousands of years ago since the first man sprang from the soil in the midst of the great plains. The story says that one morning long ago a lone man awoke, face to the sun, emerging from the soil. Only his head was visible, the rest of his body not yet being fashioned. The man looked about, but saw no mountains, no rivers, no forests. There was nothing but soft and quaking mud, for the earth itself was still young. Up and up the man drew himself until he freed his body from the clinging soil. At last he stood upon the earth, but it was not solid, and his first few steps back were slow and halting. But the sun shone and ever the man kept his face turned toward it. In time the rays of the sun hardened the face of the earth and strengthened the man and he bounded and leaped about, a free and joyous creature. From this man sprang the Lakota nation and, so far as we know, our people have been born and have died upon this plain; and no people have shared it with us until the coming of the European. So this land of the great plains is claimed by the Lakotas as their very own. We are of the soil and the soil is of us.*³³

Interpreting the creation story of the Great Plains Sioux through a dialectical naturalist lens offers crucial insights into the tribes' place-based and ecosophical conception of the human-nature relation. Analyzing the Great Plains Sioux creation story as a form containing insights into one particular in the global modality of Indigenous political thought has substantive implications for ongoing discussions over the political values necessary for achieving meaningful sustainable social transformation in the Anthropocene. In a word, the text is evocative of alternative and sustainable ways of knowing and being.

The Great Plains Sioux creation story portrays the emergence of the first man from the soil of the Great Plains. In Great Plains Sioux cosmology, the origin of life, knowledge, and culture springs from the bottom up, from the Earth itself. The notion of interconnectedness between humanity and the natural world is primordial, organic, and essential. As the man rises from the earth, he undergoes a transformative journey, guided by the sun's rays, the same sun that shines down on him and all his ancestors and neighbors in the settler-capitalist and non-human worlds, which gradually solidifies the land and strengthens his human form. The essence of the Sioux creation story represents a Native depiction of ecosophy. The story elucidates a dialectical naturalist comprehension of human existence wherein the human and the non-human worlds are synthesized through an innate connection to place and space. When interpreting the story from a dialectical naturalist position, the soil, water (mud), the sun, the creative spontaneity of the natural world supplies the nutriment of human existence. In turn, the creative powers of humanity are inseparable from the creative processes of the natural environment. The processes of the natural environment are Genesis. The non-human world enables humankind to produce and reproduce their life and life-activity.

The human-nature relation portrayed in Great Plains Sioux cosmology is also principally anarchic. These political values were historically reflected in the decentralized collective social organization of the various tribes that once formed the nomadic Great Sioux Nation.³⁴ In the creation

story, man is born a “free and joyous creature” with all the land around to call home. The tale of man’s original emergence from the soil thus underscores that the relationship between humankind and the non-human world is neither parasitic nor exploitative but one characterized by reciprocity and mutual aid. Or rather, the story carries with it the existential reminder, befitting its natal and eschatological precepts, that the *human* is bound for *inhumation*, that is, to return to the ground from which it was born upon death. Accordingly, the Great Plains Sioux maxim, “We are of the soil and the soil is of us,” certainly satisfies the ecosophical aim of going beyond the narrow political-economic comprehension of the non-human world as the immanent raw material furnished by first nature.

The perspective introduced by the Great Plains Sioux cosmology provides a powerful epistemic challenge to the neoliberal and anthropocentric worldview that prioritizes human mastery of nature, administering capital projects through a top-down, non-deliberative apparatus, even in democratic regimes. The neoliberal paradigm is to treat land as commodity and the natives who live on it as collateral, an exploitable object of human activity, with capital gains for absentee owners the primary end in sight. Native resistance against the occupying U.S. settler-state on the Great Plains has endured since before the first agreements were struck between the Natives and white settlers in the Fort Laramie Treaty of 1851, a.k.a. The ‘Horse Creek Treaty,’ signed to secure the interests of westward bound trappers, Christian missionaries, and prospecting pioneers by obliging Natives to allow the white settlers passage through the Black Hills.³⁵ The original treaty, however, was revised through violent coercion after gold was discovered in the region. The policies of the Grant administration permitted the encroachment of white settlers on treaty-protected lands, prompting the subsequent boom and bust cycle of early industrial capitalist mining towns that dug into the bellies of the Black Hills pining for a quick profit. The federal government’s complicity in the trespass of white settlers pushed the Great Plains Sioux tribes to resist their colonial oppressors through a series of violent conflicts—the Great Sioux Wars of 1876 and 1877. At the end of the skirmishes, Hunkpapa Lakota chief Tatanka Yotanka (*Tháthánka Íyotake*), or ‘Sitting Bull,’ laments on how the white settlers, by avariciously “pouring into the land,” violated the original provisions of the Treaty of Fort Laramie by desecrating the tribes’ land and, consequently, transgressing the explicitly treaty provision intended to protect the region’s pastureland for the native buffalo population.³⁶ The dignity afforded to Indigenous peoples and their non-human neighbors on the grassy steppe were suppressed to make way for capital.

At the outset, the Great Plains Sioux creation story evinces a deep sense of care and responsibility toward the land and a sense of compassion toward non-human entities that is lost upon representatives of the settler-state. This direct ancestral link to the land also denotes the unique political authority vested in Indigenous communities—their distinct genealogical connection to the region and the corresponding sense of space, place, belonging, and thus place-based sociocultural development that has been handed down through generations. Returning to the identification of a Native ecosophy, the intention to codify non-human interests in the legal language of treaty rights (and their subsequent transgression by the settler-state parties to the agreement) fully captures the divergence between the ecosophical vision of the Great Plains Sioux and the settler-capitalist United States. Later on, the Native epistemological and ontological grasp on the human-nature relation compounded with the tribes’ outrage at the settler-state’s rapacious encroachment on their territory, erosion of their sovereignty, and disregard for their political authority.

Indigenous Marxist Glen Coulthard finds that Indigenous political values and political mobilization arise from a colonized polity’s unique place-based relation to the land and the long history of anti-colonial struggle settler-state encroachment in those specific contexts of space and place. Coulthard conceptualizes the requisite place-based relations and conditions for the generative critical Native response to colonial oppression as *grounded normativity*.³⁷ The strategies and tactics of direct action and advocacy that emerge from the many modalities of Indigenous political thought and

resistance throughout North America, on the whole, constitute examples of *red praxis*. The term is defined by Indigenous scholar Sandy Grande as “Indigenous struggles against the settler state, against capitalist accumulation and extraction [that] represent the front line of critical praxis... against Native elimination. Against corporate and capitalist greed that is bleeding the earth dry.”³⁸ In other words, red praxis is a form of Native anti-capitalist and anti-colonial praxis rooted in “historical continuities among forms of Native resistance—including nonviolent action and ceremony... a praxis of Indigenous protest” against hierarchical and anti-ecological relations of settler-colonial capitalist domination.³⁹ It is this theoretical insight, in particular, that implores this discussion of Indigenous political thought to search for continuity in Indigenous legal mobilization in environmental matters around the globe. The case of the Māori in New Zealand in the next section is evidence of the global continuity of Indigenous resistance against neoliberal settler-states and the complementarity among the multiplicity of red praxis. At the moment, however, it ought to be clear that Native ways of knowing and being renounce the commodification of land and its division into exclusive ownership. Rather, it esteems the power of horizontal relationships within the community, the bonds of kinship, and reciprocity in all relations.⁴⁰ It follows that an Indigenous ecosophy offers an intellectual compendium for constructing a radical alternative to the anti-ecological, extractivist, and productivist settler-colonial capitalist forms of domination.

The political values evidenced in the Great Plains Sioux creation story and Sitting Bull’s denunciation of the westward bound white settlers reemerge in the Standing Rock and Cheyenne River Sioux tribes’ recent resistance to the construction of the Dakota Access Pipeline. The capital project, an expansion of U.S. fossil fuel infrastructure on treaty-protected reservation lands, was spearheaded by Dakota Access, LLC (a subsidiary of Energy Transfer LP) and approved for construction by the U.S. Army Corps of Engineers. The oil pipeline, carrying up to 750,000 barrels (31,500,000 gallons or ~119,240,470 liters) of fracked oil per day along the 1,772 mile (~1886 km) underground route from North Dakota to Illinois.⁴¹ The tribes objected to the construction of the Dakota Access Pipeline across Lake Oahe on a number of legal bases; however, the most prominent reasoning pertained to the risk of contamination posed to the tribes’ shared source of potable water by the oil pipeline’s daily activities.

Lake Oahe is a federally regulated water reservoir that supplies drinking water to the tribes on the Standing Rock and Cheyenne River Reservations situated between the modern-day U.S. states of North and South Dakota. During the #NoDAPL movement, members of the Standing Rock and Cheyenne River Sioux, especially Indigenous women, cited their role as the region’s “water protectors.”⁴² In essence, they were compelled to act by their sense of duty and responsibility to the protection of the non-human world from reckless endangerment by settler-state government authorities or private corporate actors. Water from Lake Oahe, more than an essential resource for local economic activities and everyday life, is a divine entity in the tribes’ sacred ceremonial practices. To pollute Lake Oahe would be both inhumane and sacrilege.

In 2016, the Corps’ approval of the pipeline’s construction led to outrage from the tribes, sparking the grassroots #NoDAPL movement that saw members of the tribal community occupying and disrupting the construction sites.⁴³ In 2017, however, the tribes’ protests were broken up by North Dakota police outfitted with military-style tactical gear.⁴⁴ The tribes thus channeled their resistance against the construction of the Dakota Access Pipeline into litigation before the U.S. federal judiciary. The Standing Rock and Cheyenne River Sioux tribes brought a lawsuit against Dakota Access, LLC and the U.S. Army Corps of Engineers in the D.C. Circuit.⁴⁵ In this instance, litigation served as a pivotal component of the tribes’ emancipatory red praxis, offering another strategic avenue for action. The legal approach aims to navigate institutional channels of the settler-state’s justice system, leveraging the rights-based truth claims contained in its constitutional and public statutory law provisions to uphold assertions of environmental justice and environmental sovereignty.⁴⁶ The recognition of Indigenous sovereignty and the validation of their juridical claims to environmental

justice would thus stem from the normative hierarchical and anthropocentric administration of a foreign policy rather than emerge from a declaration of rights formulated on Indigenous terms.

In 2021, the D.C. Circuit illustrated the juridical constraints of the settler-state and its statutory capacity to render just resolutions to disputes over environmental justice through the normative institutions of the rule of law. In its appellate ruling, despite the Court's formal declaration that the U.S. Army Corps of Engineers' decision to permit the construction of the Dakota Access Pipeline was, from the beginning, "unlawful," as the tribes had claimed, the Court allowed Dakota Access, LLC to continue operating the oil pipeline.⁴⁷ Throughout the ordeals of red praxis, the tribes encountered obstacles and resistance from government authorities and private industry, both on the reservation and in the courtroom. In unmasking how the Court reasoned the legal loss for the tribe—a contradictory reasoning that is permissive of an act by the Corps plainly identified in the same court declaration as an "unlawful" violation the procedural checks outlined in the National Environmental Policy Act (NEPA) of 1969—underscores the limits of the rule of law in addressing anthropogenic climate change, especially in cases where the intent of environmental protections is set aside for bad faith interpretations of the law's intent. The D.C. Circuit's ruling thus highlights the systemic challenges in ensuring a just and democratic environmental governance, an end reliant on government accountability within the current legal apparatus of U.S. environmental federalism.

The Great Plains Sioux tribes' central legal argument in the *Standing Rock* appellate case provides an ideal expression of Great Plains Sioux political thought in its contemporary confrontations with the neoliberal epistemologies of environmental justice that fail to heal colonial wounds and amend ecological damage. However, the tribes had to adjust their epistemic claims to a form legible to the forum provided by the U.S. federal courtroom. They thus articulated their grievance on the basis of the statutory provisions contained in NEPA, the policy that directs all federal agencies to comply with a procedure of environmental assessments or impact statements that document plans for capital projects in the public record for the possibility of informed deliberation before approval.

The preamble of NEPA outlines the public law's explicitly intended ecological sensibility for directing future iterations of U.S. government; however, the human-nature relation is understood as a "productive harmony" between humankind and the natural world.⁴⁸ The public legal code of U.S. environmental federalism thus offers another representation of the human-nature relation conceived in the normative terms of a strictly political-economic binarism requiring conceptual dissolution and reterritorialization. The Great Plains Sioux conception of the human-nature relation allows for a direct comparison. At Standing Rock, the perceived threat of toxic discharge into the tribes' shared source of drinking water provided the primary basis for the tribes' grievance in court. The tribes' attorney argued that the Corps had not adequately assessed the potential environmental risks posed by the construction of the DAPL underneath the tribes' primary source of drinking water before allowing Dakota Access, LLC to break ground.

Lake Oahe is the source of life for the Tribe. It provides drinking water for over 4,200 people on the Reservation. It is the source of water for irrigation and other economic pursuits central to the Tribal economy. And it provides the habitat for fish and wildlife on the Reservation upon which tribal members rely for subsistence, cultural, and recreational purposes. Moreover, the Tribe's traditions provide that water is more than just a resource, it is sacred—as water connects all of nature and sustains life.⁴⁹

From a dialectical naturalist viewpoint, the tribes' legal argument articulates a reciprocal relationship between the tribal communities and Lake Oahe. The Great Plains Sioux ecosophical perspective of the human-nature dialectic posits that the communities are not separate from the non-human world. They are deeply interlaced, by water, into the entanglement of the dynamic and evolving organic civic

whole. The relationship of “water protector” involves a reflexive set of responsibilities wherein humankind is responsible for maintaining the quality of the source of water that sustains it.

The relation described in the excerpt from the tribes’ legal argument reveals a continuity in Great Plains Sioux ecosophical thought that consistently succeeds in moving beyond the strictly political-economic gaze set upon the human-non-human relation through the normative institutional lens of the neoliberal order. The Great Plains Indigenous outlook diverges entirely from the neoliberal gaze that regards the land as an entity that may be parceled out and privately owned. The tribes’ nuanced comprehension of water as an entity belonging to the social, cultural, economic, religious, and political dimensions of existence engenders the principles of ecosophy—i.e., the recognition of the intrinsic value of nature beyond its instrumental use to humans. Indeed, as the Great Plains Sioux creation story reveals, nature is the origin of the *divine*. Returning to the post-structuralist ecosophical insights of Deleuze and Guattari, this understanding of the human-nature relation in Great Plains Sioux thought underscores the integral state of humankind in the non-human world that ought to be accompanied by a reverence for the natural world as not merely as a physical environment supporting life but as an enchanted, more-than-human entity embodying spiritual significance as a totality of multiplicity and the diversity of all forms of life.

Moreover, the articulation of the tribes’ claims to environmental sovereignty through the statutory provisions of NEPA introduces the question of the potential for Indigenous political thought to revise the hegemonic language of the law. In the case of Standing Rock, the Great Plains Sioux ecosophy contained in the tribes’ legal argument urges the importance of faithfully upholding the explicit intent of national regulations intended to maintain the quality of the environment for the public interest. On account of NEPA serving as a template for national environmental policy in over one hundred democratic nations around the world,⁵⁰ the tribes’ emphasis on ensuring the faithful execution of the law’s purpose to uphold transparency, accountability, and public participation in environmental decision-making processes aligns with the initial juridical conditions for achieving a democratic model of environmental governance necessary to combat intensifying anthropogenic climate change. Democratizing environmental policymaking and ensuring that marginalized communities, such as Indigenous peoples, have a meaningful voice and participatory role in shaping public environmental policies that affect their lands, waters, livelihoods, and futures—i.e., their environmental sovereignty—requires a radical shift toward an ecosophical embrace of multiplicity in the social and natural worlds as well as derives the validity of environmental justice claims from the bottom up.

The dialectical naturalist interpretation of the Great Plains Sioux political thought and action reasserts the existence of an alternative ontological and epistemological comprehension of the human-nature relation beyond the political-economic binarism characterized by the dialectic between first and second nature. By recognizing nature as more than just a collection of resources to be exploited but as a sacred and integral part of cultural and spiritual identity, the tribes challenge anthropocentric worldviews and advocate for a relational ontology that honors the intrinsic value of all non-human forms. As a practical matter, this transformation may be imagined as a return to the original *eco-covenant*, a concept reintroduced to radical ecological discourse by the red socialist program of the Red Nation, through which all early human societies were bound in reciprocal relations in the social and natural worlds: humankind lived as if they had enacted “a living document or treaty with the Earth” that bound human and non-human relations into the civic whole of an ecological and just society.⁵¹ The relational approach to environmental governance, in turn, constructs a communal framework based on reciprocity, solidarity, and sharing among diverse communities. Indigenous political thought thus lays the theoretical groundwork for generating eco-critical efforts to form intellectual and praxical coalitions that aim to address root causes of co-constitutive social and environmental challenges by building more resilient, place-based movements toward meaningful

social transformation. Indigenous political values thus inform the praxis and possibilities of a democratically attainable ecological and just society.

The Human-Nature Relation Juridically Redefined: A Case of Hope in Aotearoa.

Despite the immense capacity of government authorities and corporate stakeholders to sway political and cultural responses to climate change away from the goal radically assuaging legacies of global environmental abuse, the collectivity actors mobilizing in opposition to the untenable and unsustainable trajectory of corporate extractivism and the unjust use of State authority at the expense of the environment justice and environmental sovereignty upholds the sanity in the hope for social transformation. However, one must travel to the east-central Pacific region of the globe to find a successful example of an ecosophical construction of the human-nature relations communicable to the legal language and institutional procedure of democratic governance. This reality does not suggest that the environmental public laws in the United States are devoid of an ecological sensibility or the latent potential to catalyze a substantive juridical social transformation toward an ecological society.

U.S. environmental federalism rests on a relatively robust enumeration of legal code. U.S. environmental governance also permits some degree of variance in environmental regulations, protections, and sensibilities among the fifty states. For example, the New Mexico Constitution delineates the positive right to a “healthful and beautiful environment” for its constituents.⁵² In Hawai’i, the integration of Indigenous knowledge and the emerging Native Hawaiian practice of *pono science* that espouses *aloha ‘āina* (literally translated as “love for the land”) into scientific inquiry captures the possibility of imbuing an ecosophical reverence for the land, the environment, and the natural resources in one’s political consciousness and rule of law. The term *aloha ‘āina* encompasses the cultural, spiritual, social, and ecological relationship with the land, emphasizing stewardship, sustainability, and the interrelations between all living beings.⁵³ However, no law created by the common law canon has ever been close to that of another Polynesian society subject to the democratic rule of law by a settler-colonial power, i.e., the Māori’s advocacy within the contours of the New Zealand parliamentary democracy.

In 2017, New Zealand became the first nation to grant legal personhood to an entity of the non-human world, challenging the anthropocentric reservation of personhood rights for solely human life.⁵⁴ A brief return to recent U.S. case law clearly illustrates the eco-centric shift in common law jurisprudence and legal standard. In February 2024, the Supreme Court of Alabama even went so far as to declare that “unborn children are ‘children’” such that the state’s Wrongful Death of a Minor Act “applies to all unborn children, regardless of their location.” From that reasoning, Alabama’s high court ruling extends personhood protections to “children” inside or outside a mother’s uterus, including “embryos kept in a cryogenic nursery.”⁵⁵ Although this case example of the application of legal personhood may be a juridical edge case that is more indicative of the effects of U.S. pro-life legal mobilization, a brief digression on its occurrence is beneficial to this discussion of nature’s legal personhood for two reasons. The first is the notion that the Alabama high court’s dubious extension of personhood rights to cryogenically frozen eggs plainly illustrates the anthropocentric norms surrounding the legal standards for identifying a right-bearing subject. The second is the converse observation that the language of the law is itself flexible to the degree of identifying entities lacking the human form—including entities lacking the natural requisite conditions (e.g., sperm cells and a gestational carrier in the Alabama case) to reach the human form—as rights-bearing subjects. The Alabama case illustrates how the reactionary use of law often relies on the imposition of fixed categories of objectivity that assert the state’s truth claim as supreme to a woman’s right to choose. Conversely, the emancipatory capacity of law lies in its flexibility and ability to constantly redefine the normative conditions of liberty, justice, and equality. The case of the Whanganui River in New Zealand further exemplifies this notion, showcasing how legal frameworks can adapt and evolve to

challenge established norms, ultimately leading to a revolutionary shift in environmental jurisprudence. When attempting to take flight from the anthropocentric confines the rule of law, the case of the Whanganui River in New Zealand exemplifies a revolutionary shift in the juridical standards of environmental governance.

The Whanganui River (*Te Awa Tupua*) received legal personhood through the Te Awa Tupua (Whanganui River Claims Settlement) Act passed by New Zealand's parliament in 2017.⁵⁶ The treatment and outcome of tribal claims for environmental justice and environmental sovereignty vis-à-vis the extension of personhood protections to the Whanganui River through parliamentary procedure offers a clear juxtaposition from the dispute between the colonizer and the colonized in the U.S. federal justice system. The top-down recognition of the river's legal personhood incorporates Indigenous agency into the law and the ecosophical view of the river as a distinct entity possessing its own rights and interests tantamount to those afforded to human individuals.

Parliament's decision to codify the Māori's ecosophy into the nation's law arrived after almost two centuries of consistent red praxis. The Māori people have revered the river for generations as a vital source of sustenance, transportation, and cultural identity.⁵⁷ By recognizing the Whanganui River as a legal person, New Zealand acknowledged the intrinsic value and personality of non-human entities in the natural world. The law thus affirms the existential entanglement between humankind and the waterways of the world. The national law's provisions enable the of inclusion tribal agency and participation of the non-human world in democratic decision-making processes by establishing a tribal representative to act in the interest of the river:

12) Te Awa Tupua recognition: Te Awa Tupua is an indivisible and living whole, comprising the Whanganui River from the mountains to the sea, incorporating all its physical and metaphysical elements...

14) Te Awa Tupua declared to be legal person: (1) Te Awa Tupua is a legal person and has all the rights, powers, duties, and liabilities of a legal person; (2) The rights, powers, and duties of Te Awa Tupua must be exercised or performed, and responsibility for its liabilities must be taken, by Te Pou Tupua on behalf of, and in the name of, Te Awa Tupua, in the manner provided for in this Part and in Ruruku Whakatupua—Te Mana o Te Awa Tupua...

18) Establishment, purpose, and powers of Te Pou Tupua: (1) The office of Te Pou Tupua is established; (2) The purpose of Te Pou Tupua is to be the human face of Te Awa Tupua and act in the name of Te Awa Tupua; (3) Te Pou Tupua has full capacity and all the powers reasonably necessary to achieve its purpose and perform and exercise its functions, powers, and duties in accordance with this Act.⁵⁸

The legal recognition of Te Awa Tupua as a living entity with the full rights, powers, and duties of a citizen represents a significant departure from traditional Western legal frameworks and reflects a profound shift towards a philosophical naturalism and Indigenous ecosophy in the understanding of the human-nature relationship. By declaring the Whanganui River as an indivisible and living whole, "incorporating all its physical and metaphysical elements," parliament's recognition of the landscape and the Māori agency embedded therein extends beyond mere symbolic gesture. *Te Awa Tupua* is endowed with legal personhood, granting it the same practical rights, powers, duties, and liabilities as a human being. This provision of personhood is actualized through the establishment of a Māori *Te Pou Tupua*, the human representative of *Te Awa Tupua*. New Zealand's juridical approach to the contours of Indigenous environmental sovereignty thus underscores a good faith commitment to integrating Indigenous ways of knowing and being into the normative institutions of democratic rule.

The concept of legal personhood for ecological systems and natural resources has its roots in Māori ecosophy. Māori legal scholars have been advocating for the recognition of distinct

environmental rights for the non-human world as matters separate from human concerns since the 1970s. The concept of nature's legal personhood was developed through the work of Māori scholars James Morris and Jacinta Ruru, who argued for the legal recognition of waterways as living entities with their own rights and interests.⁵⁹ This approach aligns with the Māori ecosophical worldview, which holds the land and the ancestral spirits connected to it as members of an evolving kin sharing an overlapping sense of space and place. The protection of the environment is a corresponding fundamental cultural and civic duty in Māori culture, and, by extension, the European New Zealander settler-state that values the protection of the native Polynesian island it occupies. The Whanganui River's legal personhood has paved the way for the recognition of other landscapes in New Zealand, including Te Urewera Park and Mount Taranaki (*Taranaki Maunga*). Moreover, the law's influence has extended globally, inspiring other nations to grant legal rights to natural features such as rivers in India and Bangladesh.⁶⁰

From a philosophical standpoint, the recognition of the Whanganui River as a legal person reflects a shift towards synthesizing the dialectical human-nature relationship. It challenges the prevailing anthropocentric worldview that alienates humankind from the natural world and constructs a binarism between the two with a false sense of superiority driving the former to exploit the latter merely as a cornucopia of raw material use values. Māori ecosophy instead emphasizes the reciprocal responsibility in the relations between humans and the environment, where, in their dialectical dance through time, harm to the natural world equates to harm to human communities. By embracing Indigenous knowledge and values, as exemplified by the Māori tribes' advocacy for the Whanganui River, societies can revise their legal codes towards the construction of an ecological and just future that imagines environmental justice and environmental sovereignty as emanating from the bottom up in emancipated and democratized communities.

Like the dialectical naturalist method, Indigenous ecosophical insights render moot the normative dualism that artificially separates humans from the non-human world. They envisage the possibilities of legal systems that, to employ Potawatomi scholar Robin Wall Kimmerer's term, serve a *democracy of species*.⁶¹ The ecosophical awareness of multiplicity demands that "the scientist must approach nature for what it really is: active, developmental, emergent, and deliciously variegated in its wealth of specificity and form."⁶² By granting legal personhood to the Whanganui River and acknowledging its intrinsic value and agency, New Zealand's rule of law embodies an organic dialectical understanding of the human-nature relationship, recognizing the river as both a vital component of the ecosystem upon which human communities depend and an active participant in the democratic processes of sociocultural development. The recognition of the Whanganui River is similarly demonstrative of one of the many modalities of Indigenous ecosophy. Although its form is entirely different from that of the human being, the river's existence and development can never be separate from that of humankind.

The legal recognition of the Whanganui River as a living entity with legal personhood reflects an epistemic shift toward a philosophical naturalism that embodies a relational dialectic in the human-nature relation that successfully moves beyond the political-economic confines of first and second nature. The interpretative analytic provided by the method of dialectical naturalism, as an ecologically grounded approach for examining environmental governance, is enhanced by nomadically incorporating examples Indigenous thought and praxis into the reevaluation of the rule of law maintained by contemporary democratic regimes. By synthesizing Indigenous ecosophy with radical ecological thought, communities can construct the revolutionary praxis and institutions necessary for the transformation to an ecological and just society. The revolutionary recognition of nature's own rights in the rule of law endows democratic regimes with the latent potential to catalyze radical ecological social change through the rule of law. This transformation, however, involves embracing the multiplicity of difference and diversity in the social and natural worlds to seek alternatives that

dismantle the normative binarism of settler-colonial capitalist authority and obedience in the rule of law.

Conclusion: Rethinking the Human-Nature Relationship.

This essay has explored the concept of dialectical naturalism derived from the eco-anarchist tradition and has applied the method to an examination of the human-non-human relationship within the context of encounters between the normative institutions of democratic environmental governance and Indigenous ways of knowing and being in the world. Through an analysis of Indigenous grassroots resistance and legal mobilization, particularly focusing on the Great Plains Sioux at Standing Rock and the legal recognition of the Whanganui River as a living entity in New Zealand (*Aotearoa*), this paper has illustrated the practical existence of revolutionary political values in Indigenous communities with the latent potential for embracing a dialectical understanding of the interrelations between humans and the natural world that moves creatively supersedes their imagination in purely political-economic terms.

Through aligning Indigenous perspectives with the methods and concepts of radical environmental political theory, this paper has argued for an epistemic shift in matters of democratic environmental governance toward a relational and ecological reevaluation of the rule of law. In New Zealand, the case example provided by parliament's recognition of the Whanganui River as a legal person and the establishment of *Te Pou Tupua* as its human representative exemplifies the transformative potential inhered in the integration of Indigenous ways of knowing and being into the rule of law. Doing so challenges the preeminence of hierarchical and anthropocentric epistemologies of rule that contour the normative human-nature relation in democratic regimes. Analysis of Great Plains Sioux political thought and its manifestation through the tribes' resistance to the construction of the Dakota Access Pipeline underscores the urgent need for laws that uphold more stringent measures for protecting environmental sovereignty and upholding environmental justice for all. Indigenous political values, grounded in radical ecological sensibilities derived from unique genealogical and place-based relationships to the land, offer valuable insights into alternative modes of environmental governance and democratic participation that prioritize an ecosophical reciprocity between the human and non-human worlds.

Given the intensifying impacts of anthropogenic climate change on the social and natural worlds, as well as the corresponding threats it presents to the longevity and tenability of democratic systems, this paper advocates for a reevaluation of the juridical dimension of contemporary environmental governance. It urges a shift towards more democratic, inclusive, and equitable frameworks grounded in Indigenous epistemologies and ontologies. Through the embrace of Indigenous ways of knowing and being in the dialectical analysis of the human-nature relation, human societies can begin to chart a course toward an ecological and just society.

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- ⁵⁵ *LePage v. Center for Reproductive Medicine, P.C.* SC-2022-0515 So. (Ala. 2024) at 2-3.
- ⁵⁶ The Red Nation, *The Red Deal*, 126.
- ⁵⁷ Kate Evans, “The New Zealand river that became a legal person.” *BBC*, March 20, 2020, <https://www.bbc.com/travel/story/20200319-the-new-zealand-river-that-became-a-legal-person>.
- ⁵⁸ “Te Awa Tupua (Whanganui River Claims Settlement) Act 2017,” The Parliamentary Counsel Office (Te Tari Tohutohu Pāremata), accessed March 30, 2024, <https://www.legislation.govt.nz/act/public/2017/0007/latest/whole.html>.
- ⁵⁹ Morris and Ruru, “GIVING VOICE TO RIVERS,” 49–62 & Jacinta Ruru, “First Laws: Tikanga Māori in/and the Law,” *Victoria University of Wellington Law Review* 49, no. 2 (August 2018): 211–228. <https://doi.org/10.26686/vuwlr.v49i2.5321>.
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- ⁶¹ Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants* (Minneapolis, MN: Milkweed Editions, 2013), 58, 173-184, 345.
- ⁶² Bookchin, *The Ecology of Freedom*, 246.

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